* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 88-510-A

IN RE: PETITION FOR ZONING VARIANCE S/S Geartner Road, 188' W of the c/l of Timberlane Road (2715 Geartner Road)

Hannah Friedman

LEGAL SOTICE

3rd Election District

2nd Councilmanic District

Petitioner * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 5 feet in lieu of the required 8 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner appeared and testified. Also appearing on behalf of the Petition were Milton Friedman, Petitioner's son; and Jack Millard, Builder. The following persons appeared as Protestants: Phillip and Sharon Sagal, and Nathan Goldstein.

Testimony indicated that the subject property, known as 2715 Geartner Road, is zoned D.R. 3.5 and is currently improved with a single family dwelling. The Petitioner, a widow of two years, has resided at this location for the past 16 years. Due to her poor health, she has asked her only son and his wife to move into her home to assist her and to allow her to continue to live in familiar surroundings where she is comfortable. The Petitioner's son and his wife have an 18-month old daughter. In order to meet the needs of her son's family, the Petitioner proposes constructing an addition to provide a master bedroom with bath and a separate room to be used as a study/den.

Mr. Millard, with Champion Builders, testified that due to the layout of the existing dwelling, to place the addition to the rear of the property is not feasible as it would result in the loss of two rooms as

bedrooms. Testimony indicated that the variance would be minimal and is needed only on the front side of the dwelling and not at the rear side, as depicted in Petitioner's Exhibit 1. The Petitioner indicated she is more than willing to provide screening along the side of her house upon completion of the improvements, as the construction of the addition will result in the loss of a large tree. The Petitioner further testified as to the practical difficulty and hardship she would suffer if the variance was not

Mr. Goldstein testified he owns the adjoining property where his daughter and son-in-law now reside. All the Protestants testified they are opposed to the Petitioner's plans as the addition will be 12 feet closer than the existing structure to their property line. Testimony indicated that the front of the Protestants' home faces the side of the Petitioner's house where the addition is proposed, and is set back approximately 33 feet from the Petitioner's side yard property line.

The Petitioner seeks relief from Section 1802.3B (211.3) pursuant to Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

After due consideration of the testimony and evidence presented, $\mathcal S$ in the opinion of the Deputy Zoning Commissioner, the variance should be granted. The variance requested is minimal and the Petitioner has agreed to provide screening from her property. It is clear that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

AMN:bjs

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of June, 1988 that the Petition for Variance to permit a side yard setback of 5 feet in lieu of the required 8 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

> 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) The Petitioner shall prepare a landscaping plan for screening of the side yard property line, at least the length of the proposed addition, and submit same to the Office of Current Planning for approval within forty-five (45) days of the date of this Order. The property shall be screened in a manner deemed appropriate and as approved by the Office of Current Planning. A copy of the approved landscaping plan shall be submitted to the Office of Zoning for our records within seventy-five (75) days of the date of this

> - MN w know . a ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

"DUPLICATE" CERTIFICATE OF PUBLICATION

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows: Petition for Zoning Variance
Case number: 88-510-A
SS Geartner Road, 188'
W of of of Timberlane Road
(2715) Geartner Road)
Petitioner(s): Hannah Friedman
Hearing Date: Tuesday,
June 28, 1988 at 9:00 a.m. Vaiance to allow a side yard set-back of 5 feet in lieu of the required # In the event that this Petition is In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

Zoning Commissioner of Baltimore County

6/103 June 9.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, 2 weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

THE JEFFERSONIAN.

5. Zehe Orlan

33.75

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 191 3353 J. Robert Haines

June 30, 1988

Mrs, Hannah Friedman 2715 Geartner Road Baltimore, Maryland 21209

RE: PETITION FOR ZONING VARIANCE S/S Geartner Road, 188' W of the c/l of Timberland Road 3rd Election District; 2nd Councilmanic District

Dear Mrs. Friedman:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accor-

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

> Very truly yours, Ohn MNaskowin

ANN M. NASTAROWICZ

for Baltimore County

Deputy Zoning Commissioner

Enclosure cc: Mr. & Mrs. Phillip Sagal 2717 Geartner Road Baltimore, Maryland 21209 Mr. Nathan Goldstein 2 Pomona North, Apt. 4 Baltimore, Maryland 21208 People's Counsel

Dennis F. Rasmussen

PETITION FOR ZONING VARIANCE

To allow a side yard setback of 5 feet in lieu of the required 8 feet....

however this would require that the home be enlarged.

Property is to be posted and advertised as prescribed by Zoning Regulations.

Baltimore Maryland 21209

Name
C/O Champion Builders Inc.

Milton Friedman (son)

Name
7521 Gaither Road

National Friedman (son)

Name
7521 Gaither Road

Name
7521 Gaither Road

Name
7521 Gaither Road

Name
7521 Gaither Road

R-21-115-100

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Variance from Section _____1802.3.8. (211.3)

Contract Purchaser:

(Type or Print Name)

Attorney for Petitioner:

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

Mrs. Hannah Friedman

Hannah Fredman

___2715 Geartner Road

8 060 ****** 3500 : 3 530 . 5

VALIDATION OR SIGNATURE OF CASHIER

Baltimore Maryland 21209

The undersigned, legal owner(s) of the property situate in Baltimore County and which is

described in the description and plat attached hereto and made a part hereof, hereby petition for a

3 cd

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for he following reasons: (indicate hardship or practical difficulty)

Mrs. Hannah Friedman is a 76 year old widow living alone in the aforementioned

property. It is both a hardship and a danger to continue to do so. She does

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

City and State

I/We do solemnly declare and affirm,

under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Mrs. Hannah Friedman

Hannah Friedman

Name, address and phone number of legal owner, con-

tract purchaser or representative to be contacted

aty, this _____day

r of this petition be advertised, as pers of general circulation throughic hearing be had before the Zoning ice Building in Towson, Baltimore

not want to move from her home of 30 years to an apartment or another home as

she knows all her neighbors, friends, doctors and stores in the area. Her only

son and his family are willing to move to her home, in order to assist her,

ZONING DESCRIPTION

+360

Beginning on the South side of Geartner Road 60 ft wide at the distance of 188 feet East of the centerline of Timberlane Road Being lot 22 Block "J" in the subdivision of Wellwood Section I Plat II. Book No. GLB 23 Polio 36. Also known as 2715 Geartmer Road. in the 3rd Election District

> SS-510-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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Cation of property: S.S. Least Sec. Brad 188	Wif theif Lindaline Road
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ted by Signature	Date of return: 216316 10, 148.5

NOTICE OF HEARING, Vocasse to allow a side yard enthack of 6 feet in the of the required 8 feet. In the event that this Patition(s) is granted, a building permit may be issued within the thirty (30) day uppeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuence of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. CERTIFICATE OF PUBLICATION Pikesville, Md., time f 19 85 THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 9th day of line 19 88 the first publication appearing on the - 8th day of June 19_ the second publication appearing on the _____day of ______,19____ the third publication appearing on the ____day of ______,19_____ THE NORTHWEST STAR Cost of Advertisement /9 24

JP11e

Towner, Maryland

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

494-3353

Dennis F. Rasmussen
County Executive

c/o Chempion Builders, Inc. 7521 Gaither Road Sykesville, Maryland 21784

Patition for Zoning Variance CASE NUMBER: 88-510-A SS Geertner Road, 188' W of c/l of Timberlane Road

(2715 Geertner Road) HEARING SCHEDULED: TLESONY, JUNE 28, 1986 at 9100 m.m.

Please be advised that 1999 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. the above-referenced property. All fees must be paid prior to the hearth Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

your hearing is scheduled to be	and post set(s), there
BALTIMORE COUNTY, MARYLAND No. 52724 OFFICE OF FINANCE - REVENUE DIVISION	for each set not
MISCELLANEOUS CASH RECEIPT DATE 6/25/55 ACCOUNT 6-01-6/5 CCC	ours.
AMOUNT_5= 67.95	_ Haines
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Forting 1 fdv. 6/28/58/com	
VALIDATION OR SIGNATURE OF CASHIER	

PROTESTANT(S) SIGN-IN SHEET

2717 GEARINER RD. SHARON SAGAL 2717 GEAGTNER Rd PHILLIP SAGAL & POMONA No. +, 44 gomen of NATHAN GOLDSTEIN

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY

Mrs Harrah Friedman (Petitioner) 2715 Gertres Rd.

Mr. Mitton Friedman (Sonof Petitioner) Buttertes 5 Tentmill Lane

Jack Millard (Spikesonan at reques & 7521 Gallar Rd. Sykesville M)

Birlder / Realter

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines
Zoning Commissioner



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance CASE NUMBERS 88-510-A 55 Geartner Road, 188° W of c/l of Timberlane Road (2715 Geartner Road) Petitioner(s): Herman Friedman HEARING SCHEDULED: TUESDAY, JUNE 28, 1988 at 8:00 a.m.

Verience to allow a mide yard setback of 5 feet in lieu of the required 8 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County

nce Mrs. Hennah Friedman

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204

May 10, 1988



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 358, 359, 360, 361, 363, 364, 365, 366, 367 and 368.

Very truly yours.

Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/RF/pml-b





BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.

111 W. Chesapeake Ave. Towson, Maryland 21204

Engineering Department of Traffic Engineering But cau of Health Department Project Planning Building Department Board of Education

Zoning Administration

Industrial

Mrs. Hannah Friedman 2715 Geartner Road Baltimore, Maryland 21209

> RE: Item No. 360 - Case No. 88-510-A Petitioner: Hannah Friedman Petition for Zoning Variance

Dear Mrs. Friedman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

June 6, 1988

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

JAMES E. DYER Zoning Plans Ldvisory Committee

JED:dt Enclosures

Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke

Baltimore County

April 20, 1988

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Hannah Friedman.

Location: S/S Geartner Road, 188' W of c/l Timberlane Rd.

Item No.: 360

Zoning Agenda: Meeting of 4/12/88

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall a comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Cast Cell 4-10-88 Approved:

Planning Group

Special Inspection Division

Noted and
Approved:

Fire Prevention Bureau



INTER-OFFICE CORRESPONDENCE

Date___May_12__1988_____ TO J. Robert Haines
Zoning Commissioner

FROM P. David Fields, Director
Office of Planning and Zoning

RECEIVED ZONING OFFICE SUBJECT_Zoning Petitions #88-502-A, 88-510-A, 88-511-A, 88-512-A, 88-513-A, 88-515-A, 88-516-A, 88-517-A, 88-518-A, and 88-519-A

> There are no comprehensive planning factors requiring comment on the subject petitions.

> > P. David Fields or Stable P. David Fields, Director Office of Planning and Joning

PDF/jat cc: Shirley Heas, People's Counsel J. G. Hoswell Zoning Office

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 13th day of 4a-11 , 1989.

> J. Robert Haines ZONING COMMISSIONER

Petitioner Harred Priedran Petitioner's Attorney

Received by: Janua E. Tyen Chairman, Zoning Plans Advisory Committee







